PATENT
Docket No: H10013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Pickering et al.

Serial No: 09/879,466
Filed: 06/12/2001
Confirmation No: 4348
For: SURFACE CONTACTING MEMBER FOR TONER FUSING SYSTEM AND PROCESS, COMPOSITION FOR MEMBER SURFACE LAYER, AND PROCESS FOR PREPARING COMPOSITION

Examiner: HU, HENRY S
Group Art Unit: 1713

**TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is/are the following document(s) related to the above-identified application:

[X] Part B - Fee(s) Transmittal PTOL-85 (in duplicate)
[X] Credit Card Payment Form PTO-2038 (in duplicate)
[X] Fee Transmittal Sheet PTO/SB/17 (in duplicate)
[X] Change of Correspondence PTO/SB/122
[X] Fee Address Indication PTO/SB/47
[X] Comments on Statement of Reasons for Allowance
[X] Request for Review of Patent Term Adjustment
[X] patentterm™ Analysis Summary Report
[X] Return Receipt Postcard

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: MAIL STOP ISSUE FEE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

September 17, 2004 — Debra M. Haag

Date of Deposit — Depositor: Debra M. Haag

No.10013.A10
PAT00003.A10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jerry A. PICKERING et al.

Appl. No. : 09/879,466

Filed : June 12, 2001

Examiner Henry S. Hu
Technology Center 1700
Group Art Unit 1713
Confirmation No. 4348

For : SURFACE CONTACTING MEMBER FOR TONER FUSING SYSTEM AND PROCESS, COMPOSITION FOR MEMBER SURFACE LAYER, AND PROCESS FOR PREPARING COMPOSITION

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop *Issue Fee*
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

These comments are in response to the reasons for allowance - as stated in the numbered paragraphs that accompany the Notice of Allowability for the present application. In this regard, the numbered paragraphs are referred to in the following comments.

For instance, in paragraph 5, in the first and fifth subparagraphs of paragraph 6, and in paragraph 9, the Examiner incorrectly discusses claim 24 as reciting the composition of claim 16. Actually, in claim 16, the amorphous silica is specified as being in aggregate form. However, in claim 24, there is no such recitation defining the amorphous silica.

Also in paragraph 5, in the first and fifth subparagraphs of paragraph 6, and in paragraph 9, the Examiner refers to claim 24 as reciting a polyhydroxy curable system. In fact, the system recited in claim 24 is identified therein as a bisphenol curing system.

In the first sentence of the third subparagraph of paragraph 6, the Examiner reiterates a misstatement from paragraph 7 of the July 31, 2003 Office Action - this misstatement being that WINNIK et al., U.S. Patent No. 5,102,763, teaches a fluoropolymer as being carrier particles. Rather, at the column 18, lines 23-27, WINNIK et al. teaches that the carrier particles may be coated with fluoropolymers, and further states that suitable coating materials, including fluoropolymers, are disclosed in U.S. Patents Nos. 3,526,533, 3,849,186, and 3,942,979.

The Examiner is correct in stating, in the fourth and last sentence of the third subparagraph of paragraph 6, that WINNIK et al. does not disclose or suggest a fluoroelastomer. However, it is emphasized that, as discussed in the third paragraph at page 17 of the November 20, 2003 Reply under 37 C.F.R. § 1.112 to the Office Action of July 31, 2003, each of the indicated U.S. Patents Nos. 3,526,533, 3,849,186, and 3,942,979 likewise fails to disclose or suggest a fluoroelastomer.

Applicants do not express disagreement with the statements, in the second subparagraph of paragraph 6, in the fourth and last sentence of the third subparagraph of paragraph 6, and in the fourth subparagraph of paragraph 6, as to the reasons for allowance.

However, it is emphasized that, as to the allowed claims, these claims recite a plurality of features, and the patentability of the allowed claims should be considered to be based upon the totality of the features recited therein, *i.e.*, the invention "considered as a whole", as defining over the prior art. *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1 USPQ2d 1593 (Fed. Cir. 1987). For example, these specified reasons for allowance do not preclude the existence of additional reasons that can be cited to support the patentability of the claims, i.e., the independent claims as well as the various dependent claims.

The immediately foregoing paragraph is to be understood as applying in all instances where claims are stated to be patentable for identified reasons.

In the first sentence of the fifth subparagraph of paragraph 6, the Examiner, in discussing claim 30, incorrectly refers to claim 1; this mistake is also made in the third sentence of the second subparagraph of the first paragraph 2, prior to the

statement of reasons for allowance. It is assumed that, instead of claim 1 - which, along with claims 2-15, was directed to a nonelected invention, and was cancelled - the Examiner intended to refer to claim 16.

Applicants are not confident that they completely understand the second and third sentences of the fifth subparagraph of paragraph 6.

In this regard, to the extent that the Examiner is expressing reasons for the patentability of claim 16, Applicants do not express disagreement with these reasons.

Further in this regard, to the extent that the Examiner is stating the following three points:

(1) the Examples and Comparative Examples, in the Application EXPERIMENTAL PROCEDURES section, show unobvious benefits resulting from the presence of a bisphenol curing system (what the Examiner, as indicated, refers to as a polyhydroxy curable system); and

(2) in the Application EXPERIMENTAL PROCEDURES section discussion, of the Examples and Comparative Examples, it is maintained that unobvious benefits result from the presence of this system; and

(3) the mere presence, in claim 24, of the bisphenol curing system is of patentable significance;

then Applicants disagree all three of these points, and

respectfully submit that the Examiner is incorrect as to all three of these points.

As to point (1), the bisphenol curing system (i.e., Curative 50) is employed in all of the Examples and Comparative Examples - both those of the invention and those not of the invention.

As to point (2), in paragraphs [0183] and [0190] of the Application EXPERIMENTAL PROCEDURES section, coating preparation processes of the invention - i.e., those of Examples 1-4 - are distinguished from coating preparation processes not of the invention - i.e., those of Comparative Examples 1-4 - in that the former provide for sufficient bisphenol curing system residence time.

As to point (3), the immediately foregoing disclosure, from the Application EXPERIMENTAL PROCEDURES section, is consistent with earlier discussion in the Application as to the significance of the coating preparation process of the invention, as recited in claim 24. This earlier discussion in the Application was addressed in the November 20, 2003 Reply under 37 C.F.R. § 1.112 to the Office Action of July 31, 2003.

As noted therein, in the Application it is stated that silica incorporated in fluoroelastomer compositions causes crepe hardening therein, and this crepe hardening produces gel defects in coating formulations made from these compositions (paragraphs

[014] and [015]; paragraphs [075] and [076]; paragraph [0108]). The gel defects will appear in the coatings resulting from the formulations, and correspondingly in surface layers formed by these coatings (Application, paragraph [0110]).

However, in accordance with the process of the invention, the formulation that results from this process is provided at least essentially free of gel defects, if, in the process:

- the fluoroelastomer and treated silica are dispersed throughout the formulation solvent;

- with the fluoroelastomer and silica accordingly being dispersed in the solvent, a bisphenol curing system, comprising bisphenol crosslinking agent and accelerator, is also thusly dispersed; and

- dispersion of the crosslinker and accelerator, together with dispersion of the fluoroelastomer and silica, is continued at least until the formulation obtained from this process has no gels, or substantially or essentially no gels. (Application, paragraphs [0112] and [0113]).

With regard to the foregoing, claim 24 recites a process which is for preparing a coating composition comprising fluoroelastomer and organoaminosilane treated amorphous silica, and which combats gel defects in the composition. This claim 24 specifies that, in the process for preparing the coating

composition, a solution or dispersion is provided, and that a certain condition - i.e., dispersion of crosslinking agent, accelerator, fluoroelastomer, and silica throughout the solvent - is maintained at least until a particular objective is reached. This recited objective is the essential absence of gels.

It can therefore be seen that the patentability of claim 24 does not derive merely from employment of the bisphenol curing system in the recited process.

Additionally, process claims 25-29, all ultimately depending from claim 24, recite yet further process conditions. For instance, claim 25 provides that at least the solvent, fluoroelastomer, and treated silica are mixed under high shear, and claim 26 specifies that, after the high shear mixing, mixing without high shear is conducted; claims 27-29 all add further features. These claims 25-29 are patentable at least for the same reason as claim 29 is.

Applicants do not express disagreement with the statements, in paragraph 8, as to the reasons that each of HERGENROTHER et al., U.S. Patent No. 6,221,943, and GALLOWAY et al., U.S. Patent No. 6,242,145, fails to disclose or suggest the invention as recited in any of claims 16-33. However, these specified reasons do not preclude the existence of additional reasons that each of these patents fails to disclose or suggest the invention as

recited in any of claims 16-33. Further, these specified reasons do not preclude the existence of reasons that each of these patents fails to supply the deficiencies of the other art of record.

Applicants disagree with the statement, under the second subheading (B) in paragraph 9, that the recitation of the claim 16 composition and of a bisphenol curing system (what the Examiner yet again refers to as a polyhydroxy curable system) is a key issue with regard to claim 24. As already noted, claim 24 does not recite the composition of claim 16; the reasons, that patentability does not derive merely from employment of the bisphenol curing system, also are stated previously herein.

Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,
Jerry A. PICKERING et al.

Roger P. Glass
Reg. No. 30,841

August 11, 2004
Roger P. Glass, Esq.
5597 Seminary Road, No. 1301S.
Falls Church, VA 22041
(703)379-8443

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 17, 2004:

Debra Haag — Debra Haag
Name — Signature


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|---|---|---|---|
| Applicant | : PICKERING et al. | Examiner | : Hu, Henry S. |
| Appl. No. | : 09/879,466 | Group Art Unit | : 1713 |
| Filed | : June 12, 2001 | Confirmation No. | : 4348 |

For : SURFACE CONTACTING MEMBER FOR TONER FUSING SYSTEM AND PROCESS, COMPOSITION FOR MEMBER SURFACE LAYER, AND PROCESS FOR PREPARING COMPOSITION

**REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT UNDER 37 CFR § 1.705(b)**

Commissioner for Patents
Alexandria, Virginia 22313

Sir:

Applicants hereby apply for term adjustment under 37 C.F.R. §1.705(b) on the following bases.

## Background

A Notice of Allowance and Issue Fee Due was mailed in this application on June 17, 2004. The issue fee is due on September 17, 2004, which is the date on which both the fee, and this request, are being submitted. This request therefore meets the timeliness requirements of 37 C.F.R. §1.705(b).

The Notice of Allowance was accompanied by a Determination of Patent Term Adjustment under 35 U.S.C. § 154(b), stating that the Patent Term Adjustment to date is 84 days.

Applicant's representative checked this adjustment using a commercial service, which indicated that the adjustment should instead be 150 days. This is the basis for Applicant's request for review.

## Statement of Facts

1. The correct patent term adjustment is believed to be 150 days. The bases for this adjustment are:

a. Mailing of a first notification under 35 U.S.C. § 143 later than fourteen months after

the date on which the application was filed under 35 U.S.C. § 111(a); see 37 C.F.R. §1.702(a)(1).

b. Failure to respond to a reply under 35 U.S.C. § 132 not later than four months after the date on which the reply was filed; see 37 C.F.R. § 1.702(a)(2).

c. Failure to issue a patent within three years of the actual filing date of the application. Issuance of the patent as currently scheduled will be delayed due to the failure of the Office to issue a patent within three years after the date on which the application was filed under 35 U.S.C. § 111(a); see 37 C.F.R. §1.702(b).

2. The relevant dates, and corresponding adjustments, are as follows:

a. 37 C.F.R. § 1.701(a)(1): Applicants' application was filed under 35 U.S.C. § 111(a) on June 12, 2001. The first notification under 35 U.S.C. § 143, which was a restriction requirement, was mailed on September 25, 2002. The mailing date of the restriction requirement exceeded the 14-month requirement by 44 days.

b. 37 C.F.R. § 1.702(a)(2): Applicants filed a reply to an Office action on November 20, 2003. The response to this reply, in the form of the Notice of Allowance and Issue Fee Due, was mailed on June 17, 2004, a date which is 89 days more than four months after the date of Applicants' reply.

c. 37 C.F.R. §1.702(b): the projected issue date of the patent on this applications is December 28, 2004. This date is 199 days longer than three years after the date on which the application was filed under 35 U.S.C. § 111(a).

Cumulatively these three dates yield a Patent Office delay of 332 days. However, when Applicants' own delays, overlap, and 37 C.F.R. § 1.703(f) are taken into account, the net adjustment owed to Applicants appears to be 150 days.

3. The patent issuing from this application is not subject to a terminal disclaimer.

4. There were two circumstances during the prosecution of the application constituting a failure to engage in reasonable efforts to conclude processing or examination of the application as set forth in 37 C.F. R. § 1.704, namely:

a. Applicants' reply to the Office action mailed January 2, 2003 was filed on May 1, 2003. This reply filing date was 29 days later than three months after the date of mailing of the Office action; see 37 C.F. R. § 1.704(b).

b. Applicants' reply to the Office action mailed July 31, 2003 was filed on November 20,

2003. This reply filing date was 20 days later than three months after the date of mailing of the Office action; see 37 C.F. R. § 1.704(b).

In support of, and as basis for, this Request, please find appended hereto a five-page document entitled "Analysis Summary Report". This Report was generated by PatentTerm, a commercial web-based service for checking the accuracy of patent term adjustments.

In light of the above, Applicants respectfully request review and reconsideration of the patent term adjustment applicable to the present application.

Should there be any questions or comments, kindly contact the undersigned.

Respectfully submitted,
PICKERING et al.

James A. Cairns
Reg. No. 32,557

September 17, 2004
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PROFESSOR KAYTON'S BETA patentterm™ ONLINE LLC

# Analysis Summary Report


| APPLICATION INFORMATION | | | |
|---|---|---|---|
| Docket Number: | 10013 | Analysis Generated: | 09/16/2004 10:37:38 AM ET |
| Application Number: | 09/879,466 | User Name: | Romanchik, Rich |
| Filing Date: | 06/12/2001 | Firm/Company Name: | Heidelberg Digital L.L.C. |
| Title/Inventors: | SURFACE CONTACTING MEMBER FOR TONER FUSING SYSTEM AND PROCESS, COMPOSITIONFOR MEMBER SURFACE LAYER, AND PROCESS FOR PREPARING COMPOSITION; Jerry Pickering , Hilton, NY | Attorney/Agent Comments: | |

| AIPA TERM ANALYSIS SUMMARY | |
|---|---|
| Earliest Referenced Application under 35 USC § 120, 121, or 365(c): | **06 / 12 / 2001** |
| Filing Date (US National Application): | **06 / 12 / 2001** |
| Net Adjustment **Credits**: | **199 Days** |
| Net Adjustment **Debits**: | **49 Days** |
| Net Patent Term Adjustment: | **150 Days** |
| AIPA Patent Term End Date: | **11 / 09 / 2021 (1)** |
| (1) Assumes payment of all maintenance fees and no intervening acts. Terminal disclaimer(s) filed in this case, if any, may reduce the term. Without adjustment, the term would end on 06/12/2021. | |

| RULE APPLICATION SUMMARY | | | | | | |
|---|---|---|---|---|---|---|
| | Event | Rule Invoked | Related Event | Excluded Days | Debit Days | Credit Days |
| A | 06/12/2001<br>Filing Date under 35 USC 111(a) (US National Application) | **14-Month PTO First Action**<br><br>PTO must mail a notification under 35 USC 132 or a notice of allowance under 35 USC 151 not later than 14 months after the date on which the application was filed under 35 USC 111(a) or fulfilled the requirements of 35 USC 371 in an international application. Period of adjustment (credits) begins on the day after the date that is 14 months after the date on which the application was filed under 35 USC 111(a) or fulfilled the requirements of 35 USC 371 and ending on the date of mailing of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(i); 37 CFR 1.702(a)(1), 1.703(a)(1). | *First PTO Action:*<br><br>09/25/2002<br>Restriction / Election-of-Species | 0 | 0 | 44 |
| B | 06/12/2001<br>Filing Date under 35 USC 111(a) (US National Application) | **3-Year PTO Issue of Patent**<br><br>PTO must issue a patent within 3 years (not including exclusions) after the date on which the application was filed under 35 USC 111(a) or the national stage commenced under 35 USC 371(b) or (f) in an international application. Period of adjustment (credits) begins on the day after the date that is 3 years after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 USC 371(b) or (f) in an international application and ending on the date a patent was issued, but not including the sum of the listed exclusionary periods. 35 USC 154(b)(1)(B); 37 CFR 1.702(b), 1.703(b).<br><br>You have elected to analyze this rule under the PTO Exclusion Interpretation, but this election did not affect the number of credit days under this rule. | *Issue Date:*<br><br>12/28/2004<br>Issue Date | 0 | 0 | 199 |
| C | 09/25/2002<br>Restriction / Election-of-Species | **3-Month Applicant Response to Notice or Action**<br><br>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).<br><br>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).<br><br>You have indicated that no 1.705(c) Showing of Due Care was made. | *Applicant Response:*<br><br>11/04/2002<br>Response to Election-of-Species / Restriction Filed | 0 | 0 | 0 |

| | | | | | | |
|---|---|---|---|---|---|---|
| D | 11/04/2002<br>Response to Election-of-Species / Restriction Filed | **4-Month PTO Response to Applicant Reply**<br><br>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2),(3). | *PTO Response:*<br><br>01/02/2003<br>Non-final Action | **0** | **0** | **0** |
| E | 01/02/2003<br>Non-final Action | **3-Month Applicant Response to Notice or Action**<br><br>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).<br><br>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).<br><br>You have indicated that no 1.705(c) Showing of Due Care was made. | *Applicant Response:*<br><br>05/01/2003<br>Reply after Non-final Action under 37 CFR 1.111 | **0** | **29** | **0** |
| F | 05/01/2003<br>Reply after Non-final Action under 37 CFR 1.111 | **4-Month PTO Response to Applicant Reply**<br><br>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2),(3). | *PTO Response:*<br><br>07/31/2003<br>Non-final Action | **0** | **0** | **0** |
| G | 07/31/2003<br>Non-final Action | **3-Month Applicant Response to Notice or Action**<br><br>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).<br><br>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).<br><br>You have indicated that no 1.705(c) Showing of Due Care was made. | *Applicant Response:*<br><br>11/20/2003<br>Reply after Non-final Action under 37 CFR 1.111 | **0** | **20** | **0** |

| | | | | | | |
|---|---|---|---|---|---|---|
| H | 11/20/2003<br>Reply after Non-final Action under 37 CFR 1.111 | **4-Month PTO Response to Applicant Reply**<br><br>PTO must respond to a reply under 35 USC 132 not later than 4 months after the date on which the reply was filed. The period of adjustment (credits) begins on the day after the date that is 4 months after the date a reply under 37 CFR 1.111 or in compliance with 37 CFR 1.113(c) was filed and ending on the mailing date of either an action under 35 USC 132, or a notice of allowance under 35 USC 151, whichever occurs first. 35 USC 154(b)(1)(A)(ii); 37 CFR 1.702(a)(2), 1.703(a)(2),(3). | *PTO Response:*<br><br>06/17/2004<br>Notice of Allowance under 35 USC 151 | **0** | **0** | **89** |
| I | 06/17/2004<br>Notice of Allowance under 35 USC 151 | **3-Month Applicant Response to Notice or Action**<br><br>Period of adjustment (credits) shall be reduced for the period in excess of 3 months taken to reply to any PTO notice or action making any rejection, objection, argument, or other request, beginning on the day after the date that is 3 months after the date of mailing or transmission of the Office communication and ending on the date the reply was filed. The period, or shortened statutory period, for reply set in the action or notice has no effect on this deadline. 35 USC 154 (b)(2)(C)(ii); 37 CFR 1.704(b).<br><br>Where applicant shows, in spite of all due care, applicant was unable to respond within the 3-month period, all or part of adjustment may be reinstated for up to 3 additional months. 35 USC 154(b)(3)(C); 37 CFR 1.705(c).<br><br>You have indicated that no 1.705(c) Showing of Due Care was made. | *Applicant Response:*<br><br>09/17/2004<br>Issue Fee Payment under 35 USC 151 | **0** | **0** | **0** |
| J | 09/17/2004<br>Issue Fee Payment under 35 USC 151 | **4-Month PTO Issue of Patent**<br><br>PTO must issue a patent not later than 4 months after the date on which the issue fee was paid under 35 USC 151 and all outstanding requirements were satisfied. The period of adjustment (credits) begins on the day after the date that is 4 months after the date the issue fee was paid and all outstanding requirements were satisfied and ends on the day the patent issues. 35 USC 154(b)(1)(A)(iv); 37 CFR 1.702(a)(4), 1.703(a)(6). | *Issue Date:*<br><br>12/28/2004<br>Issue Date | **0** | **0** | **0** |
| Total Exclusion, Debit, and Credit Days | | | | **0** | **49** | **332** |
| Overlap Days | | | | **0** | **0** | **5** |
| Net Exclusion, Debit, and Credit Days | | | | **0** | **49** | **199†** |
| Net Patent Term Adjustment Days | | | | | | 150 |

The term of this patent ends on 11/09/2021 (2)

(2) Assumes payment of all maintenance fees and no intervening acts. Terminal disclaimer(s) filed in this case, if any, may reduce the term. Without adjustment, the term would end on 06/12/2021.
†Net credits were limited by 37 CFR § 1.703(f) "Actual Delay" limitation. See calculation below.

| 37 CFR § 1.703(f) "ACTUAL DELAY" CALCULATION | | | |
|---|---|---|---|
| | Credit Days During Exclusionary Periods | Credit Days During Non-Exclusionary Periods | |
| | | Three-Year Issue Guarantee | All Other Rules |
| Net Credit Days | **0** | **199** | **133** |
| Maximum Credit Days under 37 CFR § 1.703(f) "Actual Delay" Limitation | **199** | | |